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10/728,408

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Jon Swanson

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EXAMINER

TARAE, CATHERINE MICHELLE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/728,408	Applicant(s) SWANSON, JON	
	Examiner C. Michelle Tarae	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/5/04, 12/13/04, 9/6/06, 7/23/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a Non-Final Office Action in response to the communication received on December 5, 2003. Claims 1-37 are now pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-27 and 29-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Semaan (U.S. 5,680,392).

As per claim 1, Semaan discloses a method for organizing a virtual meeting between a plurality of attendees on a computer network, the method comprising the steps of:

selecting a meeting date, a meeting start time, meeting duration, and a meeting code, storing said meeting date, said meeting start time, said meeting duration, and said meeting code in a meeting file (col. 6, lines 8-19; col. 8, lines 45-50; Figure 3);

storing said meeting file in a memory accessible to the network (Figures 3-4);

specifying at least one meeting attendee (col. 8, lines 35 and 40);

communicating a meeting invitation to said at least one attendee over the network, said invitation including at least said meeting date, said meeting start time, said meeting code, and a meeting entry portal (col. 8, lines 51-64); and

allocating network resources for said meeting, said network resources sufficient to communicate a plurality of real time data streams over the network, said plurality of real time data streams including at least one real time video data stream and at least one real time audio data stream (col. 6, lines 24-52; col. 8, lines 65-67).

As per claim 2, Semaan discloses a method as defined by claim 1 and further including the step of determining a required bandwidth for the meeting and storing said required bandwidth in said meeting file (col., 9, lines 10-27).

As per claim 3, Semaan discloses a method as defined by claim 1 wherein each of said at least one meeting attendees will be streaming a plurality of real time data streams to the meeting, and wherein the method further includes the step of determining the bandwidth required for each of said plurality of real time data streams (col. 8, line 65-col. 9, line 28).

As per claim 4, Semaan discloses a method as defined by claim 3 wherein said at least one meeting attendee is a plurality of meeting attendees, and further including the step of determining the total bandwidth required for the virtual meeting by summing the bandwidth required for each of said plurality of real time data streams from each of said plurality of attendees (col. 8, line 65-col. 9, line 28).

As per claim 5, Semaan discloses a method as defined by claim 4 wherein said plurality of real time data streams includes at least a plurality of video data streams and at least one audio data stream (col. 8, line 65-col. 9, line 28).

As per claim 6, Semaan discloses a method as defined by claim 1 and further including the steps of determining the total bandwidth available to communicate with said at least one meeting attendee (col. 8, line 65-col. 9, line 28).

As per claim 7, Semaan discloses a method as defined by claim 6 wherein the step of determining the total bandwidth to communicate with said at least one meeting attendee includes determining whether a second virtual meeting may consume bandwidth resources of said attendee (col. 8, line 65-col. 9, line 28; col. 10, line 64-col. 11, line 29; Figure 5).

As per claim 8, Semaan discloses a method as defined by claim 7 wherein said at least one attendee is linked to the network by a linkage shared by an attendee of said second virtual meeting, said second virtual meeting being at least partially concurrent with said first virtual meeting (col. 9, lines 6-9; col. 10, line 64-col. 11, line 29; Figure 5).

As per claim 9, Semaan discloses a method as defined by claim 6 wherein said at least one attendee includes a plurality of attendees, and further including the steps of:
determining what linkage each of said plurality of attendees is connected to the network with and determining whether any additional of said plurality of attendees are connected to the network over said linkage (col. 12, lines 15-54).

As per claim 10, Semaan discloses a method as defined by claim 6 wherein the virtual meeting is the first virtual meeting and further including the steps of:

determining what linkage said at least one attendee is connected to the network with, determining whether any other virtual meetings are occurring at least partially concurrently with the first virtual meeting, and determining whether any attendees of any

of said other virtual meetings are connected to the network over said linkage (col. 10, line 64-col. 11, line 29; col. 12, lines 15-54).

As per claim 11, Semaan discloses a method as defined by claim 1 wherein said at least one meeting attendee includes a plurality of meeting attendees, and further including the steps of determining the total required bandwidth for the meeting, of determining the total bandwidth of each of said plurality of meeting attendees, and of limiting said meeting attendees to only those having sufficient bandwidth to participate in said meeting (col. 6, lines 8-13 and 24-26; col. 8, line 65-col. 9, line 28).

As per claim 12, Semaan discloses a method as defined by claim 1 wherein said at least one meeting attendee includes a plurality of meeting attendees, and further including the steps of determining the total required bandwidth for the meeting, of determining the total bandwidth of each of said plurality of meeting attendees, and of directing any attendees that do not have sufficient bandwidth available to link to a subset of said plurality of data streams being communicated during the meeting (col. 6, lines 28-64).

As per claim 13, Semaan discloses a method as defined by claim 1 wherein said meeting file further includes at least one application to be used during the meeting (col. 8, lines 11-31).

As per claim 14, Semaan discloses a method as defined by claim 1 wherein said invitation is an executable file that upon execution takes all steps necessary to connect to said virtual meeting (col. 8, lines 57-59).

As per claim 15, Semaan discloses a method as defined by claim 1 wherein said meeting file further specifies a display template for displaying video streams during the meeting (col. 9, lines 10-27).

As per claim 16, Semaan discloses a method as defined by claim 15 wherein said display template includes application geometry for displaying images (col. 9, lines 10-27).

As per claim 17, Semaan discloses a method as defined by claim 1 and further including the step of selecting a display template for displaying at least one video data stream during the meeting (col. 9, lines 10-27).

As per claim 18, Semaan discloses a method as defined by claim 1 wherein said at least one attendee comprises a plurality of attendees, and further including the step of receiving a request to enter the meeting from a first of said plurality of attendees, wherein the step of allocating said network resources for the meeting is performed after receiving said request to enter from said first of said plurality of attendees (col. 6, lines 20-52).

As per claim 19, Semaan discloses a method as defined by claim 18 and further including the steps of linking each remaining of said plurality of users to said meeting resources when a request for entry is received from said remaining of said plurality of users (col. 6, lines 44-64).

As per claim 20, Semaan discloses a method as defined by claim 1 wherein said network resources include at least one network interface having an address, and further

including storing said at least one network interface address in said meeting file (col. 5, lines 38-58).

As per claim 21, Semaan discloses a method as defined by claim 1 wherein the step of communicating said meeting invitation to at least one meeting attendee includes communicating said meeting invitation to a plurality of meeting attendees (col. 8, lines 51-64).

As per claim 22, Semaan discloses a method as defined by claim 1 wherein the step of allocating said network resources for said meeting comprises selecting said network resources from a list of available network resources (col. 6, lines 20-43; Figures 4-4a).

As per claim 23, Semaan discloses a method as defined by claim 1 wherein said network resources comprise one or more network interface locations (col. 3, lines 19-23; col. 7, lines 42-52).

As per claim 24, Semaan discloses a method as defined by claim 23 wherein said network interface locations comprise port numbers (col. 3, lines 19-23; col. 7, lines 42-52).

As per claim 25, Semaan discloses a method as defined by claim 1 wherein said network resources comprise at least one IP address for a network interface connected to the network and at least one port (col. 3, lines 19-23; col. 7, lines 42-52).

As per claim 26, Semaan discloses a method as defined by claim 1 wherein said network resources include at least one network interface address, and further including

the step of storing said at least one network interface address in said meeting file (col. 3, lines 19-23; col. 7, lines 42-52).

As per claim 27, Semaan discloses a method as defined by claim 1 wherein said meeting entry portal is a URL (col. 3, lines 19-23; col. 7, lines 42-52).

As per claim 29, Semaan discloses a method as defined by claim 1 and further including the step of providing a network address for each of said at least one meeting attendees (col. 3, lines 19-23; col. 7, lines 42-52).

As per claim 30, Semaan discloses a method as defined by claim 1 and further including the steps of creating a pass key for entry to said meeting, of including said pass key with said invitation communicated to said at least one attendee, and of storing said pass key in said meeting file (col. 8, lines 60-61).

Claims 31-37 recite subject matter similar to the limitations already rejected above. Therefore, claims 31-37 are rejected on the same basis as claims 1-27 and 29-30 above.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Semaan (U.S. 5,680,392), as applied above, and Blinken et al. (U.S. 4,796,293).

As per claim 28, Semaan does not expressly disclose a method as defined by claim 1 and further including the step of specifying an early join time before said start time before which said at least one attendee cannot join the meeting and a late time after which said at least one attendee cannot join the meeting. Blinken et al. discloses that "latecomers" will not be able to join a conference after a certain amount of time has expired (col. 7, lines 18-21). Additionally, Examiner takes Official Notice that specifying an early join time before a start time before which an attendee cannot join a meeting is an old and well known function of scheduling online/virtual meetings. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the online conference scheduling system of Semaan with the features taught by Blinken et al. and Official Notice because the invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Bookspan et al. (U.S. 6,636,888) discusses scheduling a presentation broadcast;
- Tseung (U.S. 5,109,384) discusses a broadcast network;
- Bales et al. (U.S. 5,369,694) discusses creating a meet-me conference;
- Smythe et al. (U.S. 6,418,214) discusses a network-based conference system;
- Horvitz et al. (U.S. 7,233,933) discusses an online collaboration system;
- Wilson (U.S. 7,215,642) discusses telephone conference systems;
- Stanley et al. (U.S. 4,635,251) discusses meet-me conferences;
- Venkatraman et al. (U.S. 5,844,973) discusses a conference billing system; and
- Campbell, IV et al. (U.S. 5,903,629) discusses teleconferencing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Tarae whose telephone number is 571-272-6727. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 571-272-6729.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/C. Michelle Tarae/
Primary Examiner, Art Unit 3623

March 12, 2008